

1 John White, Esq., SB #1741  
2 WHITE LAW CHARTERED  
3 335 West First Street  
4 Reno, NV 89503  
5 775-322-8000  
6 775-322-1228 (Fax)  
7 john@whitelawchartered.com  
8 Proposed Counsel to the  
9 Official Committee of Unsecured Creditors

E-filed on September 2, 2010

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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In re:

CASE NO: BK-N-09-53610-GWZ

PACIFIC PAWNBROKERS, INC. ,  
a Nevada corporation,

Chapter 11

Debtor.

APPLICATION OF THE OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS FOR ORDER PURSUANT  
TO 11 U.S.C. §§ 105 AND 1103(a) OF THE  
BANKRUPTCY CODE AUTHORIZING  
AND APPROVING THE EMPLOYMENT  
AND RETENTION OF WHITE LAW  
CHARTERED AS COUNSEL FOR THE  
OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS.

\_\_\_\_\_/ (Negative Notice)

20 The Official Committee of Unsecured Creditors (the "Committee") of Pacific  
21 Pawnbrokers, Inc. ("Debtor") having been duly appointed by the Office of the United States  
22 Trustee on November 13, 2009, hereby applies to the Court pursuant to section 1103(a) of  
23 the Bankruptcy Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code") and Rule 2014 of  
24 the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), for entry of an order  
25 authorizing and approving the Committee's employment and retention of White Law Chartered  
26 as counsel for the Committee in this chapter 11 case (the "Application"). In support of this  
27 Application, the Committee respectfully represents as follows:  
28

**JURISDICTION AND VENUE**

1. On October 14, 2009 (the "Petition Date"), the Debtor filed its voluntary petition for relief under chapter 11 of title 11 of the Bankruptcy Code. The Debtor continues to operate its business and manage its affairs pursuant to sections 1107 and 1108 of the Bankruptcy Code. No trustee or examiner has been requested or appointed in this case.

2. Jurisdiction to consider this matter is vested in the Court pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to §§ 1408 and 1409. The statutory predicate for the relief requested in this Application is 11 U.S.C. §§ 105 and 1103(a) and Rule 2014 of the Bankruptcy Rules.

**RETENTION OF WHITE LAW CHARTERED**

3. On November 13, 2009, the Office of the United States Trustee formed the Committee selecting Mary Lord, PO Box 384, Kalama, WA 98625; Brooks Thiele, 10040 E. Happy Valley #2054, Scottsdale, AZ 95255; Wayne Sizemore, 1660 Whitewood Dr., Sparks NV 89434; Phillip & Joanne Anderson Trustees, 1680 Pittman Ave., Sparks, NV 89431; and Scott Family Trust, 546 Diana Place, Arroyo Grande, CA 93420. The Committee has not been particularly active, and is largely concerned that the Debtor may have transferred assets without sufficient consideration prior to filing for bankruptcy. On August 26th, 2010, the Committee determined that it needed representation and 4 of the 5 Committee members selected the law firm of White Law Chartered (hereinafter "WLC") to provide counsel for the interests of its constituency in connection with this chapter 11 case and related matters. Members have been unable to contact the fifth Committee member, Wayne Sizemore, concerning the hiring of Mr. White, and, in light of time considerations, have decided to proceed without first obtaining his consent, the other Committee members having no reason to believe that Mr. Sizemore would object to Mr. White's hiring, if he could be reached.

4. By this Application, the Committee seeks to employ and retain WLC as its counsel with regards to this chapter 11 case, and all related matters. Accordingly, the Committee

1 respectfully requests entry of an order pursuant to Section 1103(a) of the Bankruptcy Code  
2 and Bankruptcy Rule 2014(a) authorizing it to employ and retain WLC as its counsel  
3 to perform the legal services that will be necessary during this case and related matters.

4 5. The Committee seeks to retain WLC as its counsel because of WLC's experience  
5 and expertise in complex chapter 11 cases. The Committee submits that WLC is both well  
6 qualified and uniquely able to represent it in this case in an efficient and timely manner.

7 6. Subject to Court approval under section 330(a) of the Bankruptcy Code,  
8 compensation will be payable to WLC on an hourly basis, plus reimbursement of actual,  
9 necessary expenses and other charges incurred by the firm. The hourly rates charged by  
10 WLC are consistent with the rates charged by the firm in comparable non-bankruptcy  
11 matters and are subject to periodic adjustments to reflect economic and other conditions.

12 7. WLC's hourly rates are set at a level designed to fairly compensate the firm for the  
13 work of its attorneys and paralegals and to cover fixed and routine overhead expenses. Hourly  
14 rates vary with the experience and seniority of the individuals assigned and may be adjusted by  
15 the WLC from time to time. Current customary hourly rates of WLC for the individual expected  
16 to participate in these cases is \$300.00 for attorney John White and \$75.00 for paralegal Mary  
17 Hernandez. It is the policy of WLC to charge its clients in all areas of practice for all expenses  
18 incurred in connection with a client's case. The expenses routinely charged to clients include,  
19 among other things, photocopying, witness fees, travel expenses, filing and recording fees,  
20 long distance telephone calls, postage, express mail and messenger charges, computerized legal  
21 research charges and other computer services, expenses for working meals and facsimile charges.  
22 WLC will charge the Committee for these expenses in a manner and at rates consistent with  
23 charges made generally to its other clients.  
24

25  
26 8. The professional services of WLC will render to the Committee may include, but  
27 shall not be limited to, the following:  
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(a) advise the Committee with respect to its powers and duties under section 1103 of the Bankruptcy Code;

(b) take all necessary action to preserve, protect and maximize the value of the Debtor's unsecured creditors, including but not limited to, investigating the acts, conduct, assets, liabilities, and financial condition of the Debtor, the operation of the Debtor's business and the desirability of the continuance of such business, and any other matter relevant to this case or to the formulation of a plan;

(c) prepare on behalf of the Committee motions, applications, answers, orders, reports and papers that may be necessary to preserve and further the Committee's interests in this chapter 11 case;

(d) participate in the formulation of a plan as may be in the best interests of general unsecured creditors of the Debtor's estate;

(e) represent the Committee's interests with respect to the Debtor's efforts to obtain post petition secured financing;

(f) advise the Committee in connection with any potential sale of assets;

(g) appear before this Court, any appellate courts, and protect the interests of the Committee and the value of the Debtor's estate before such courts;

(h) consult with the Debtor's counsel and counsel for its secured lender on behalf of the Committee regarding tax, intellectual property, labor and employment, real estate, corporate, litigation matters, and general business operational issues; and

(i) perform all other necessary legal services and provide all other necessary legal advice to the Committee in connection with this chapter 11 case.

*provided however, that the Committee has been informed that WLC is to be paid from the Debtor's estate rather than by the Committee members and has authorized WLC to limit its representation of the Committee to the extent necessary to insure that it is not incurring fees and expenses which the Debtor may be unable to pay.*

9. To the best of the Committee's knowledge, and except as disclosed in the Affidavit of John White, Esq. (the "White Affidavit") filed separately herewith, WLC has not represented the Debtor, its creditors, equity security holders, or any other parties in interest or its respective attorney and accountants, the United States Trustee or any person employed in the office of the United States Trustee, in any matter relating to the Debtor or its estate.

10. The Committee desires to retain WLC. To the best of the Committee's knowledge,

1 based on information contained in the White Affidavit, WLC does not hold or represent any  
2 interest adverse to the Debtor's estate or to the Committee's interests therein and therefore is  
3 a "disinterested person" as that phrase is defined in section 101(14) of the Bankruptcy Code.  
4 Further, WLC employment is necessary and in the best interest of the Committee, all unsecured  
5 creditors and the Debtor's estate.

6 11. WLC intends to apply to the Court for allowance of compensation and  
7 reimbursement of expenses in accordance with applicable provisions of the Bankruptcy Code,  
8 the Bankruptcy Rules, the Local Rules, orders of this Court, and the Fee Guidelines promulgated  
9 by the Executive Office of the United States Trustee (the "Fee Guidelines"). All attorneys who  
10 will be rendering services on behalf of the Committee will maintain billing records setting forth  
11 complete and detailed activity descriptions, including a time allotment billed in increments of  
12 one-tenth of an hour. Each activity will include a description of the type and subject matter of  
13 the activity undertaken.

14 12. The Committee, subject to the provisions of the Bankruptcy Code, the Bankruptcy  
15 Rules, orders of this Court, and Fee Guidelines, proposes that WLC be paid its customary hourly  
16 rates in effect from time to time as set forth in the White Affidavit and submits that such rates are  
17 reasonable.

18 13. The name, address and telephone number of the lead attorney of WLC who will be  
19 the attorney of record herein is:  
20

21 John White, Esq.,  
22 335 West First Street  
23 Reno, Nevada 89503  
24 775-322-8000  
25 775-322-1228 (Fax)  
26 [john@whitelawchartered.com](mailto:john@whitelawchartered.com)

1 Other attorneys will participate in the representation of the Committee as necessary.

2 14. No prior application for the relief requested herein had been made to this or any  
3  
4 other court.

5 WHEREFORE, the Official Committee of Unsecured Creditors of Pacific Pawnbrokers.  
6 Inc respectfully requests that this Court enter an order, substantially in the form annexed  
7 hereto, granting the relief requested herein and such other and further relief as is just.

8 DATED: September 2nd, 2010.

9  
10 OFFICIAL COMMITTEE OF  
11 UNSECURED CREDITORS OF PACIFIC  
12 PAWNBROKERS, INC.

13 By /s/ see attached  
Howard Scott

By /s/ see attached  
Brooks Thiele

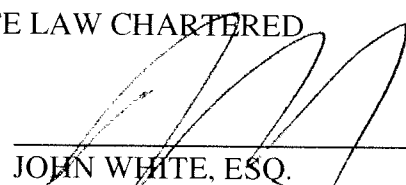
14 By /s/ see attached  
15 Mary Lord

By /s/ see attached  
Joanne Anderson

16 Submitted by:

17 WHITE LAW CHARTERED

18  
19 By:

  
JOHN WHITE, ESQ.  
Nevada State Bar #1741  
WHITE LAW CHARTERED  
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[john@whitelawchartered.com](mailto:john@whitelawchartered.com)

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27 WHITE LAW  
CHARTERED  
LAWYERS  
28 20TH CENTURY BLDG  
335 W. FIRST STREET  
RENO, NV 89503

T (775) 322-8000  
F (775) 322-1228

**CERTIFICATE OF SERVICE**

I hereby certify under penalties and pain of perjury that I am an employee of White Law Chartered and that on this 2nd day of September, 2010, I served a true and correct copy of the foregoing APPLICATION TO EMPLOY WHITE LAW CHARTERED AS COUNSEL;

☒ a. ECF System:

KEVIN A. DARBY- kevin@darbylawpractice.com, tricia@darbylawpractice.com; melissa@darbylawpractice.com; tiffani@darbylawpractice.com; kendal@darbylawpractice.com; COURTNEY MILLER O'MARA- comara@lionelsawyer.com, llucero@lionelsawyer.com  
U.S. Trustee - RN - 11 USTPRegion17.RE.ECF@usdoj.gov

☒ b. Via First class, U.S. mail, postage prepaid, to the following interested parties:

Pacific Pawnbrokers, Inc.  
701 Ryland ave.  
Reno, NV 89502

Mary Lord  
P.O. Box 384  
Kalama, WA 98625

Brooks Thiele  
10040 E. Happy Valley #2054  
Scottsdale, AZ 95255

Robert Kilby Esq.  
580 Mt. Rose Street  
Reno, NV 89509

Philip & Joanne Anderson Trustees  
1680 Pittman Avenue  
Sparks, NV 89431

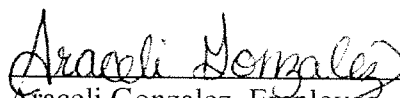
Wayne Sizemore  
1660 Whitewood Drive  
Sparks, NV 89434

Scott Family Trust  
546 Diana Place

1 Arroyo Grande, CA 93420

2 The undersigned further affirms that the preceding document does not contain the social  
3 security number of any person

4 Dated: September 2nd, 2010

5   
6 Araceli Gonzalez, Employee  
7 White Law Chartered  
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27 WHITE LAW  
28 CHARTERED  
LAWYERS

20TH CENTURY BLDG.  
335 W. FIRST STREET  
RENO, NV 89503

T (775) 322-8000  
F (775) 322-1228

Other attorneys will participate in the representation of the Committee as necessary.

14. No prior application for the relief requested herein had been made to this or any

other court.

WHEREFORE, the Official Committee of Unsecured Creditors of Pacific Pawnbrokers, Inc respectfully requests that this Court enter an order, substantially in the form annexed hereto, granting the relief requested herein and such other and further relief as is just.

DATED: August 26, 2010.

OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS OF PACIFIC  
PAWNBROKERS, INC.

By Howard Scott  
Howard Scott

By \_\_\_\_\_  
Mary Lord

By \_\_\_\_\_  
Brooks Thiele

By \_\_\_\_\_  
Joanne Anderson

Submitted by:

WHITE LAW CHARTERED

By: \_\_\_\_\_  
JOHN WHITE, ESQ.  
Nevada State Bar #1741  
WHITE LAW CHARTERED  
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DATED: August 26, 2010.

OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS OF PACIFIC  
PAWNBROKERS, INC.

By \_\_\_\_\_  
Howard Scott

By Mary Lord  
Mary Lord

By \_\_\_\_\_  
Brooks Thiele

By \_\_\_\_\_  
Joanne Anderson

Submitted by:

WHITE LAW CHARTERED

By: \_\_\_\_\_  
JOHN WHITE, ESQ.  
Nevada State Bar #1741  
WHITE LAW CHARTERED  
335 West First Street  
Reno, NV 89503  
775-322-8000  
775-322-1228 (Fax)  
john@whitelawchartered.com

By Brooks G. Thiele  
Name: Company:  
Title: Committee Chairperson

Submitted by:

WHITE LAW CHARTERED

By: \_\_\_\_\_  
JOHN WHITE, ESQ.  
Nevada State Bar #1741  
WHITE LAW CHARTERED  
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Reno, NV 89503  
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UNSECURED CREDITORS OF PACIFIC  
PAWNBROKERS, INC.

By \_\_\_\_\_  
Howard Scott

By \_\_\_\_\_  
Mary Lord

By \_\_\_\_\_  
Brooks Thiele

By Joanne M. Anderson  
Joanne Anderson

Submitted by:

WHITE LAW CHARTERED

By: \_\_\_\_\_  
JOHN WHITE, ESQ.  
Nevada State Bar #1741  
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